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11 Attorneys for Plaintiff

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

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19 UNITED STATES OF AMERICA, ) No. CR 05-00262 WHA  
20 Plaintiff, ) [PROPOSED] ORDER AND STIPULATION  
21 v. ) EXCLUDING TIME FROM JUNE 14, 2005  
22 ADRIANA B. CRUZ, ) TO JULY 6, 2005 FROM THE SPEEDY  
23 Defendant. ) TRIAL ACT CALCULATION  
24 (18 U.S.C. § 3161(h)(8)(A))  
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27 The parties appeared before the Court on June 14, 2005. With the agreement of the parties,  
28 and with the consent of the defendant, the Court enters this order scheduling a status hearing date  
1 of July 6, 2005, at 2:00 p.m., before the Honorable William H. Alsup, and documenting the  
2 exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from June 14, 2005 to  
3 July 6, 2005. The parties agreed, and the Court found and held, as follows:

4 1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant  
5 the requested continuance would unreasonably deny both government and defense counsel  
6 reasonable time necessary for effective preparation, taking into account the exercise of due  
7 diligence, and would deny the defendant and the government continuity of counsel.  
8 2. Given these circumstances, the Court found that the ends of justice served by excluding

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10 STIPULATION AND ORDER  
11 CR 05-00262 WHA

1 the period from June 14, 2005 to July 6, 2005, outweigh the best interest of the public and the  
2 defendant in a speedy trial. Id. § 3161(h)(8)(A).

3 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from  
4 June 14, 2005 to July 6, 2005, be excluded from Speedy Trial Act calculations under 18 U.S.C. §  
5 3161(h)(8)(A) & (B)(iv).

6 4. The Court scheduled a status hearing date of July 6, 2005, at 2:00 p.m., before the  
7 Honorable William H. Alsup.

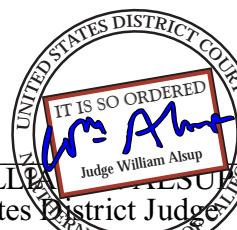
8 IT IS SO STIPULATED.

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10 DATED: \_\_\_\_\_ /S/  
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13 DATED: \_\_\_\_\_ /S/  
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15 IT IS SO ORDERED.  
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17 DATED: July 8, 2005  
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CHRISTINE S. WATSON  
Special Assistant United States Attorney

RONALD C. TYLER  
Attorney for Adriana B. Cruz

HON. WILLIAM H. ALSUP  
United States District Judge



## CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she caused a copy of:

**ORDER AND STIPULATION SETTING HEARING DATE AND EXCLUDING TIME  
FROM JUNE 14, 2005 TO JULY 6, 2005 FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. § 3161(h)(8)(A))**

to be served this date on the party(ies) in this action,

### **Via Hand Delivery**

**RONALD TYLER**  
**Assistant Federal Public Defender**  
**450 Golden Gate Avenue, 19<sup>th</sup> Floor**  
**San Francisco, CA 94102**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: July 7, 2005

Ponly J. Tu  
Legal Assistant (Immigration)  
U.S. Attorney's Office